

(ORDER LIST: 526 U. S.)

MONDAY, APRIL 26, 1999

ORDERS IN PENDING CASES

A-819 DAVID LEISURE V. MICHAEL BOWERSOX, SUPERINTENDENT, POTOSI  
CORRECTIONAL CENTER, ET AL.

The application for a certificate of appealability  
addressed to Justice Stevens and referred to the Court is  
denied.

65, ORIG. TEXAS V. NEW MEXICO

The motion of the River Master for fees and expenses  
is granted and it is ordered that the River Master is  
awarded a total of \$2,505.00 for the period January 1 -  
March 31, 1999, to be paid equally by the parties

98-7771 ) SCHWARZ, BARBARA V. NATIONAL SECURITY AGENCY  
)  
98-7782 ) SCHWARZ, BARBARA V. EXECUTIVE OFFICE, ET AL.

The motion of petitioner for reconsideration of  
orders denying leave to proceed *in forma pauperis* is  
denied.

98-7904 IN RE DELBERT H. REIDT

The motion of petitioner for reconsideration of  
order denying leave to proceed *in forma pauperis* is  
denied.

98-8208 IN RE WILMER B. GAY

The motion of petitioner for leave to proceed *in  
forma pauperis* is denied. See Rule 39.8. Petitioner is  
allowed until May 17, 1999, within which to pay the

docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

98-8238    LOWE, RONALD D. V. TURNER, RON

The motion of petitioner for leave to proceed *in forma pauperis* is denied. See Rule 39.8. Petitioner is allowed until May 17, 1999, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

98-1152    FDA, ET AL. V. BROWN & WILLIAMSON TOBACCO

The petition for a writ of certiorari is granted.

98-958    UN. BRHD CARPENTERS, ET AL. V. ANDERSON, LINDEN, ET AL.

The petition for a writ of certiorari is granted limited to the following question: "Taking into account the constitutional powers pursuant to which it was enacted, does 42 U.S.C. Sec. 1981 prohibit discrimination against non-citizens on the basis of alienage in private contracts?"

**CERTIORARI DENIED**

97-1867    UNUM LIFE INS. CO. OF AM V. CISNEROS, MICHELLE

98-1046 ) BELLISOUTH CORP. vs. FCC, ET AL.

)  
98-1153 ) U S WEST, INC. vs. FCC, ET AL.

98-1156    CONNECTION DISTRIB. CO. V. RENO, ATTY. GEN.

98-1163 MARCU, MIRON FLORIN vs. INS  
 98-1253 CERAMICA NUOVA D'AGOSTINO V. MCC-MARBLE CERAMIC  
 98-1323 PNEUMO ABEX CORP. , ET AL. V. GRUN, WILLIAM F.  
 98-1325 FALANGA, ROBERT, ET AL. vs. GA STATE BAR  
 98-1333 TESSIER, PATRICK L. V. COMBUSTION, INC. , ETC.  
 98-1339 HERWINS, M JOE V. REVERE, MA, ET AL.  
 98-1359 LYNDEN AIR FREIGHT, INC. V. KAMIKAWA, HI DIR. TAXATION  
 98-1366 SULLIVAN, CECIL M , ET AL. V. DETILLIER, GENA MARIE  
 98-1367 AUDET, ELLEN, ETC. V. PRUDENTIAL HEALTH CARE PLAN  
 98-1379 ) LENTINO, JORGE A. , ET AL. V. CAGE, LOWELL T.  
 )  
 98-1380 ) LENTINO, MARTA A. V. CAGE, LOWELL T.  
 98-1398 WEISSER, MICHAEL HARRIS V. FLORIDA BAR  
 98-1405 McCANN, GORDON V. LARSON FOUNDATION  
 98-1474 STEMBRIDGE, JOHN M V. PREFERRED RISK MUT. INS. CO.  
 98-1483 MANNIX, PATRICK J. V. VIRGINIA  
 98-1488 RITCHIE, LARRY, ET AL. V. WEST VIRGINIA, ET AL.  
 98-1492 PUBLICATIONS INTL. , LTD. V. LANDOLL, INC.  
 98-1510 BROWER, JORDAN V. WASHINGTON, ET AL.  
 98-1520 BRADFORD, EDDIE L. , ET AL. V. McCLELLAN, DAVID A. , ET AL.  
 98-1525 WEINSTOCK, ISRAEL V. WEINSTOCK, ESTHER  
 98-1530 FALASTER, FREDDIE V. ROTH, WARDEN  
 98-1538 DITTRICH, THEODORE J. V. WEST, SEC. OF VA  
 98-1540 KRUEGER, WILSON M V. WEST, SEC. OF VA  
 98-1544 BOLTON, DAVID D. V. MERIT SYSTEMS PROTECT. BD.  
 98-1548 ADVANCED MATERIALS, INC. V. UNITED STATES, ET AL.  
 98-1555 QUIGLEY, DAVID JAMES V. UNITED STATES  
 98-1558 MOHAMMED, JOSEPH, ET UX. V. UNITED STATES

98- 1559   CORDES FIN. CORP. vs. CIR  
 98- 1567   408 PEYTON ROAD, ETC. V. UNITED STATES  
 98- 7290   SANFORD, DONALD R. V. UNITED STATES  
 98- 7395   DAVIS, RANDY O. V. UNITED STATES  
 98- 7740   ) QUINTERO, DERRICK D. V. TENNESSEE  
           )  
 98- 7846   ) HALL, WILLIAM E. V. TENNESSEE  
 98- 7970   GIBBS, DAVID E. V. JOHNSON, DIR. , TX DCJ  
 98- 8177   CRISPEN, RICHARD V. vs. CRISPEN, MELINDA L.  
 98- 8178   BALEY, GENEVE V. FORD MOTOR COMPANY  
 98- 8180   COOR, BEAUTANOUS V. STOCKS, LIEUTENANT, ET AL.  
 98- 8181   COOPER, GERALD L. V. KLINGER, WARDEN  
 98- 8183   HUNT, CHARLES B. V. BRITT, JOE, ET AL.  
 98- 8184   ROBUSKY, CHARLES V. DAVIS, WARDEN, ET AL.  
 98- 8185   PRICE, JOSEPH W. V. RYDER SYSTEM, INC. , ET AL.  
 98- 8189   NGUYEN, TUAN V. POLAROID CORP. , ET AL.  
 98- 8204   DAY, MORRIS vs. USDC MA  
 98- 8205   WALTON, GEARY W. V. STEWART, DIR. , AZ DOC  
 98- 8207   TRINH, THANH K. V. LOCKYER, ATT' Y GEN. OF CA  
 98- 8212   DIZON, CECILIA V. ERENO, JENNIFER, ET AL.  
 98- 8224   GOODE, WILLIAM R. V. OHIO  
 98- 8228   PARKS, LARRY N. V. CALIFORNIA  
 98- 8231   CARTER, MARION W. V. MAHON, WARDEN  
 98- 8232   BOYCE, ANTONNEO R. V. SEGELBAUM, ROBERT S. , ET AL.  
 98- 8234   BURGESS, RICHARD O. V. MONTANA, ET AL.  
 98- 8235   BEAZLEY, DWIGHT T. V. SUPERIOR COURT OF CA, ET AL.  
 98- 8245   JOHNSON, DANIEL M. V. MONTANA  
 98- 8246   POPE, REGINALD W. V. DEES, WARDEN

98- 8249 WOODS, VANESSA vs. N. M C. LABORATORIES, ET AL.  
98- 8251 VERMILLION, JAY F. V. HARRIS, SHERIFF  
98- 8253 HICKS, REGINALD V. WORKERS' COMP. APPEALS BD.  
98- 8255 LACEY, KEVIN V. OHIO  
98- 8256 LEWIS, LARRY V. OHIO  
98- 8258 MONTANO- FIGUEROA, MANUEL V. CRABTREE, WARDEN  
98- 8260 CLINGER, DONALD S. V. OHIO  
98- 8263 CONDRON, DANIEL J. V. OHIO  
98- 8270 ROSENDAHL, ROLF V. CARNAHAN, GOV. OF MD, ET AL.  
98- 8273 WRIGHT, STANLEY V. PRUNTY, WARDEN  
98- 8275 TUNSTALL, CHARLES A. V. FREEMAN, FRANKLIN, ET AL.  
98- 8277 MORALES, JUAN V. DuBOIS, LARRY E. , ET AL.  
98- 8284 COVEY, TONY W. V. ANGELONE, DIR. , VA DOC  
98- 8292 SPIVEY, WARREN V. OHIO  
98- 8306 McLAURIN, CHARLES V. ILLINOIS  
98- 8319 CAVALIERI -CONWAY, JOAN V. CA BOARD OF EQUALIZATION  
98- 8320 BERRY, JAMES H. V. BERRY, WARDEN  
98- 8321 GARDNER, MARK E. V. NORRIS, DIR. , AR DOC  
98- 8361 DUNN, KENNETH D. V. JOHNSON, DIR. , TX DCJ  
98- 8364 REYES, RUDOLFO V. CALIFORNIA  
98- 8414 CHILDRESS, WALTER E. V. APPALACHIAN POWER COMPANY  
98- 8428 MENDEZ, JESUS V. JOHNSON, DIR. , TX DCJ  
98- 8443 BOGART, NANCY L. V. HARDMAN, JACQUELYN T. , ET AL  
98- 8461 NELSON, WILLIE F. V. NEW YORK  
98- 8466 BURKE, JAMES V. MALONEY, COMM R, ET AL.  
98- 8469 SMITH, DONALD E. V. MISSISSIPPI  
98- 8490 CHRISTIS, JACOB E. V. ILLINOIS

98- 8500 FUNDERBURK, DARRYL W. V. MANN, ROBERT F. , ET AL.  
98- 8510 PEACOCK, MATTHEW D. V. CALIFORNIA  
98- 8518 WILLIAMS, TROY V. SIZER, WARDEN, ET AL.  
98- 8521 TRUJILLO, BOBBY V. LYTTLE, WARDEN  
98- 8557 HOLSEY, AARON V. DAVIS, PAUL, ET AL.  
98- 8564 DEBORD, PAUL V. JOHNSON, DIR. , TX DCJ  
98- 8591 JONES, COTTON J. V. CALIFORNIA  
98- 8595 BARTA, ANTONIO J. V. JOHNSON, DIR. , TX DCJ  
98- 8597 NEWSTED, NORMAN L. V. GIBSON, WARDEN  
98- 8617 KILGORE, BRUCE V. MISSOURI  
98- 8622 BEE, MELVIN J. V. UNITED STATES  
98- 8643 FLOWAL, MICHAEL A. V. UNITED STATES  
98- 8658 CRUMB, MELFORD L. V. UNITED STATES  
98- 8659 BENSON, LATONIA E. V. UNITED STATES  
98- 8666 TORRES, ALBA V. UNITED STATES  
98- 8667 ZAMARRON-CERVANTES, PEDRO V. UNITED STATES  
98- 8680 LOPEZ-MATA, JUAN V. UNITED STATES  
98- 8684 McNEIL, PEGGYARNELL V. UNITED STATES  
98- 8685 PUTTMAN, OTIS V. UNITED STATES  
98- 8687 CONEO-GUERRERO, JULIO, ET AL V. UNITED STATES  
98- 8688 COARDES, ANDRE V. CONNECTICUT  
98- 8692 WILLS, EURAL V. UNITED STATES  
98- 8697 EDWARDS, NOLAN N. V. UNITED STATES  
98- 8707 JUNKMAN, CURTIS V. UNITED STATES  
98- 8709 UNDERWOOD, NORMA M V. UNITED STATES  
98- 8714 SPEIGHT, KENNETH E. V. UNITED STATES  
98- 8718 SARGENT, JOHN D. V. UNITED STATES

98-8721 BAKER, DRUCILLA J. V. UNITED STATES  
98-8722 ARRINGTON, MARSHALL V. UNITED STATES  
98-8723 KO, KIM L. V. UNITED STATES  
98-8725 TROWELL, EDWARD L. V. UNITED STATES  
98-8729 POINDEXTER, MELVIN V. UNITED STATES

The petitions for writs of certiorari are denied.

**HABEAS CORPUS DENIED**

98-8733 IN RE JIMMY EARL WILLS  
98-8773 IN RE RAY A. PERRY

The petitions for writs of habeas corpus are  
denied.

**REHEARINGS DENIED**

96-8614 McNEIL, JUANITA E. V. AGUILOS, MARIE, ET AL.  
98-1007 WALLIN, CRAIG P. V. MN DEPT. OF CORR. , ET AL.  
98-1221 IN RE CLARENCE MURPHY  
98-1222 MURPHY, CLARENCE V. PLANNED PARENTHOOD OF IA  
98-1249 COWHIG, EDWARD V. UNITED STATES  
98-1412 STEWART, DIR. , AZ DOC, ET AL. vs. LaGRAND, WALTER  
98-6618 SANSONE, CAROL A. vs. MCI TELECOMMUNICATIONS  
98-7459 BABA, SUSAN V. SILVERMAN, MARC L. , ET AL.  
98-7737 WOODARD, KIMMY L. V. UNITED STATES  
98-7785 LANGFORD, EDWARD A. V. UNITED STATES

The petitions for rehearing are denied.

98-7246 YOUNG, BRYCE W. V. MICHIGAN

The motion for leave to file a petition for

rehearing is denied.

**ATTORNEY DISCIPLINE**

D-2018 IN THE MATTER OF JOSEPH C. MARTUCCI

Joseph C. Martucci, of Miami, Florida, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The Rule to Show Cause, issued on December 7, 1998, is discharged.

D-2032 IN THE MATTER OF DISBARMENT OF CHARLES V. BOOREAM, III

Charles V. Booream, III, of Milltown, New Jersey, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Charles V. Booream, III, is disbarred from the practice of law in this Court.

D-2037 IN THE MATTER OF DISBARMENT OF ROBERT D. SCHULMAN

Robert D. Schulman, of New City, New York, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Robert D. Schulman is disbarred

from the practice of law in this Court.

D-2038 IN THE MATTER OF DISBARMENT OF SUSAN GOLDSWEIG

Susan Goldsweig, of Yonkers, New York, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon her requiring her to show cause why she should not be disbarred; and the time to file a response having expired;

It is ordered that Susan Goldsweig is disbarred from the practice of law in this Court.

D-2039 IN THE MATTER OF DISBARMENT OF ROBERT G. LEVENE

Robert G. Levene, of Tustin, California, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued requiring him to show cause why he should not be disbarred;

It is ordered that Robert G. Levene is disbarred from the practice of law in this Court.

D-2040 IN THE MATTER OF DISBARMENT OF GERALD JAMES TIERNAN

Gerald James Tiernan, of San Francisco, California, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Gerald James Tiernan is disbarred from the practice of law in this Court.

D-2042 IN THE MATTER OF DISBARMENT OF PHILIP GALE BUTLER, JR.

Philip Gale Butler, Jr., of Greenville, Florida, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Philip Gale Butler, Jr., is disbarred from the practice of law in this Court.

D-2043 IN THE MATTER OF DISBARMENT OF PETER H. REA

Peter H. Rea, of Branson, Missouri, having been suspended from the practice of law in this Court by order of February 22, 1999; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Peter H. Rea is disbarred from the practice of law in this Court.

D-2055 IN THE MATTER OF WILLIAM F. SPALLINA

William F. Spallina, of Newton Highlands, Massachusetts, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The Rule to Show Cause, issued on March 22, 1999, is discharged.

D-2060 IN THE MATTER OF DISBARMENT OF ROBERT B. SCHAMBACH

Robert B. Schambach, of Metairie, Louisiana, is

suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2061 IN THE MATTER OF DISBARMENT OF MICHAEL P. MAGUIRE

Michael P. Maguire, of Alexandria, Virginia, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2062 IN THE MATTER OF DISBARMENT OF STANLEY ALAN LANGFUS

Stanley Alan Langfus, of Hollywood, California, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2063 IN THE MATTER OF DISBARMENT OF THOMAS ALLEN MASSEY

Thomas Allen Massey, of Oklahoma City, Oklahoma, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2064 IN THE MATTER OF DISBARMENT OF DEAN A. OLDS

Dean A. Olds, of Laguna Beach, California, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from

the practice of law in this Court.

D-2065 IN THE MATTER OF DISBARMENT OF KEITH JOHN KULIE

Keith John Kulie, of Addison, Illinois, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2066 IN THE MATTER OF DISBARMENT OF JAMES DAVID NORVELL

James David Norvell, of Abilene, Texas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2067 IN THE MATTER OF DISBARMENT OF BRYANT ASHLEY WEBB

Bryant Ashley Webb, of Woodbridge, Virginia, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2068 IN THE MATTER OF DISBARMENT OF ANTONIO REYES-VIDAL

Antonio Reyes-Vidal, of San Antonio, Texas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**RECESS ORDER**

The Court will take a recess from Monday, May 3, 1999, until Monday, May 17, 1999.